

REMARKS

Claims 1, 3 to 13, and 16 to 19 are pending in this application. Claim 6 is allowed and claim 4 is objected to. Claims 1, 3, 5, 7 to 13, and 16 to 19 stand rejected under 35 U.S.C. § 112, second paragraph. Applicants acknowledge with appreciation the withdrawal of the other rejections of the claims and objection to the specification. Applicants are herein amending claim 1.

Amendments to Claims

Applicants are herein amending claim 1 to specify that the C_{2-5} alkanediyi l is substituted on one carbon atom of the C_{1-10} alkyl substituted with $N(R^6)_2$ in R^2 to form a spiro moiety, when it is present. Specific support for the amendment may be also be found on page 5, lines 15 to 20 where it is clearly indicated how the C_{2-5} alkanediyi l can be substituted on the C_{1-10} alkyl group:

C_{2-5} alkanediyi l defines bivalent straight and branched chain saturated hydrocarbon radicals having from 2 to 5 carbon atoms such as, for example, 1,2-ethanediyi l , 1,3-propanediyl, 1,4-butanediyl, 1,2-propanediyl, 2,3-butanediyl, 1,5-pentanediyl and the like, C_{2-5} alkanediyi l is substituted on C_{1-10} alkyl as provided for in the definition of R^2 , it is meant to be substituted on one carbon atom thus forming a spiro moiety; (emphasis added)

Accordingly, applicants respectfully submit that no new matter is introduced by the amendments to the claims.

Rejection under 35 U.S.C. § 112, Second Paragraph

Claims 1, 3, 5, 7 to 13, and 16 to 19 stand rejected under 35 U.S.C. § 112, second paragraph because one of the moieties in monovalent R² is divalent and is allegedly indefinite. Applicants respectfully traverse the rejection.

Applicants submit that the term “C₂-salkanediyl” in the definition of R² is accurately presented as a divalent moiety. Please note that “C₂-salkanediyl” is defined as an optional substituent on the C₁₋₁₀alkyl substituted with N(R⁶)₂. “C₂-salkanediyl” is clearly specified in the specification on page 5, lines 15 to 20 to be substituted on one carbon atom of the C₁₋₁₀alkyl thus forming a spiro moiety. As such, R² remains monovalent, as required. Applicants respectfully submit that this terminology would be clear to one of ordinary skill in the art. However, in an effort to expedite prosecution, applicants are herein amending claim 1 to further specify that the C₂-salkanediyl divalent moiety is substituted on one carbon atom of the C₁₋₁₀alkyl to form a spiro moiety in the definition of R². Accordingly, applicants request withdrawal of the rejection of claims 1, 3, 5, 7 to 13, and 16 to 19 under 35 U.S.C. § 112, second paragraph.

Conclusions

Applicants respectfully request:

- (1) entry of the amendment to the claims;
- (2) reconsideration and withdrawal of the rejection of claims 1, 3 to 13 and 16 to 19; and
- (3) allowance of claims 1, 3 to 13 and 16 to 19.

If the Examiner is of a contrary view, the Examiner is requested to contact the undersigned attorney at (215) 557-3861.

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